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Attorney for William Joseph Foote

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	Case No.: CR 06 00075 CW
Plaintiff,	)	ORDER GRANTING
vs.	)	STIPULATION TO CORRECT
WILLIAM JOSEPH FOOTE,	)	JUDGEMENT AND COMMITMENT
Defendant	)	ORDER PURSUANT TO FED R CRIM
	)	P 35

On May 7, 2007, this Court sentenced defendant William Foote, who on November , 2006, had pled guilty to one count of being a felon in possession of a firearm and one count of being a felon in possession of ammunition.

The Court sentenced Foote to a 54 month term of imprisonment:

"The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of fifty-four (54) months. This sentence shall commence as of April 30, 2007, the date of imposition, and shall run current to the state sentence the defendant is currently serving, with the state institution as the institution the defendant can begin serving his federal sentence from."

1 The United States and the defendant Foote stipulate that the Judgment in  
 2 a Criminal Case, Document 64, contains a clerical error. Specifically, the word  
 3 “current” in the passage above should read “concurrent.”

4 Further, the parties stipulate that the Judgment should be amended to  
 5 clarify which state sentences the defendant is “currently serving,” i.e., it should  
 6 reference the two different Solano County Superior Court cases --FCR205196  
 7 and FCR206806 – in which the defendant committed probation violations that  
 8 form the basis for his current state sentence. The state sentence comprises two  
 9 separate consecutive terms, one for each probation officer.

10 Under Rule 35, the parties stipulate that this Court should amend the  
 11 above-quoted passage to read (proposed changes are italicized and in bold):

12 “The defendant is hereby committed to the custody of the United States  
 13 Bureau of Prisons to be imprisoned for a total term of fifty-four (54) months. This  
 14 sentence shall commence as of April 30, 2007, the date of imposition, and shall  
 15 run **concurrent** to the state sentence the defendant is currently serving,  
 16 ***pursuant to probation violations in Solano County Superior Court cases***  
 17 ***FCR205196 and FCR206806***, with the state institution as the institution the  
 18 defendant can begin serving his federal sentence from.”

19 Dated:

Respectfully Submitted,

RAMSEY & EHRLICH LLP

ISMAIL RAMSEY  
 ATTORNEY FOR WILLIAM FOOTE

SCOTT SCHOOLS  
 UNITED STATES ATTORNEY

JAMES KELLER  
 ASSISTANT U.S. ATTORNEY

1 GOOD CAUSE HAVING BEEN SHOWN, this Court hereby orders that the  
2 Judgment in the above-entitled criminal case be amended as stipulated above,  
3 specifically the term of imprisonment section shall read as follows:

4 "The defendant is hereby committed to the custody of the United States  
5 Bureau of Prisons to be imprisoned for a total term of fifty-four (54) months. This  
6 sentence shall commence as of April 30, 2007, the date of imposition, and shall  
7 run concurrent to the state sentence the defendant is currently serving, pursuant  
8 to probation violations in Solano County Superior Court cases FCR205196 and  
9 FCR206806, with the state institution as the institution the defendant can begin  
10 serving his federal sentence from."

11 IT IS SO ORDERED.

12 Dated: 5/17/07

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15 HON. CLAUDIA WILKEN  
16 U.S. DISTRICT COURT JUDGE  
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